

Tagged Opinion

ORDERED in the Southern District of Florida on July 1, 2009



John K. Olson
John K. Olson, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

In re:

Case No.: 09-10171-JKO

DON THOMAS KOZICH

Chapter 7

Debtor.

DON T. KOZICH,

Adv. Proc. No.: 09-01315-JKO

Plaintiff,

vs.

MICHELLE A. CAVALLARO, et al.,

Defendants.

**ORDER GRANTING IN-PART AND DENYING IN-PART MOTION TO
DISMISS AND IMPOSING SANCTIONS PURSUANT TO 11 U.S.C. § 105(a)**

THIS MATTER came before the court on July 1, 2009, upon Michelle A. Cavallaro, Stanley Kimmel, Jennie Weiss Kimmel, Kimmel Construction Corp., Tilt Wall, Inc., and Tilt Systems, Inc.'s

(collectively the “Defendants”) Motion to Dismiss Adversary Complaint and Impose Rule 9011 Sanctions (the “Motion”) [DE 9]. In light of Don T. Kozich’s (“Debtor” or “Mr. Kozich”) lack of standing to raise the claim, as well his unreasonable actions under the circumstances, the Motion is granted in-part.

1. Relevant facts

In 2001, Mr. Kozich filed a *pro se* cause of action against the Defendants in the Florida Circuit Court for the 17th Judicial Circuit. *See Kozich v. Kimmell*, No. 01-2448 (14) (Fla. Cir. Ct.). That case was dismissed on the grounds that Mr. Kozich filed the case in violation of standing orders finding him to be a vexatious litigant and prohibiting him from filing *pro se* causes of action in the 17th Judicial Circuit. *See* Motion at 2; *see also, Kozich v. Keller*, No. 98-05269 (21), slip op. (Fla. Cir. Ct. Aug. 3, 1998) (finding that Mr. Kozich had “maliciously filed” the complaint in order to “abuse the judicial process” and enjoining him from representing himself “*in propria persona* as a litigant”; *Kozich v. Keller*, , 33 Fla. L. Weekly D 2557 (Fla. Dist. Ct. App. 2008) (the Fourth District preserved the injunction preventing Mr. Kozich from filing *pro se* cases, and stated “[t]he Court – and Mr. Kozich as well, if he could only be induced to realize it – should not spend further time on these meritless claims”). Mr. Kozich appealed the dismissal to the Florida District Court of Appeal for the Fourth District. *See Kozich v. Kimmel*, No. 4D08-1001 (Fla. Dist. Ct. App.). Rather than file a brief in the appellate court, Mr. Kozich filed a notice of suggestion of bankruptcy. The Fourth District initially entered a stay on the appeals proceeding, but later vacated the stay upon a motion from the Defendants, and ordered that Mr. Kozich file his brief by March 19, 2009.

Instead of complying with that order, Mr. Kozich initiated this case by filing his adversary complaint (the “Complaint”) [DE 1] on April 7, 2009. The purported basis for Mr. Kozich’s

Complaint is Defendants' alleged violation of the automatic stay in their pursuit of the appeal in the state court – an appeal which Mr. Kozich himself initiated, from an original cause of action initiated by Mr. Kozich as well. Mr. Kozich asks that, in addition to monetary sanctions sought against the Defendant, the court remove the underlying state court case to federal court. It is no surprise that Mr. Kozich prefers the case to be in federal court, as the following history will illuminate.

2. Kozich's history of vexatious state court litigation

In a final judgement dated August 3, 1998, in the case of *Kozich v. Keller*, No. 98-05269 (21), slip op.(Fla. Cir. Ct. Aug. 3, 1998), Florida Circuit Court Judge Miette K. Burnstein (then Chief Administrative Judge) ordered that "Mr. Kozich is enjoined from henceforth representing himself in this Court in the Seventeenth Judicial Circuit in and for Broward County, Florida *in propria persona* as a litigant." Florida Circuit Court Judge Barry E. Goldstein recently reviewed that order in *Kozich v. Cornell*, No. 04-9121 (11) (Fla. Cir. Ct.), *aff'd*, 983 So. 2d 601 (Fla. Dist. Ct. App. 2008), and used it as a basis to dismiss Mr. Kozich's lawsuit pending in his division. On September 21, 2004, Mr. Kozich was found to be a vexatious litigant by the 17th Judicial Circuit and the clerk sent notice to the Clerk of the Florida Supreme Court for inclusion in the Vexatious Litigant Registry pursuant to Fla. Stat. §68.093(6). On April 5, 2005, the Florida Circuit Court Judge Robert L. Andrews, on remand from the Fourth District, ordered Mr. Kozich to pay over \$9,000.00 in attorney fees to defendants "for having to respond to Petitioner's frivolous motions." *DeBrino Caulking & Waterproofing, Inc. v. Kozich*, No. 93-32441 (09), slip op. (Fla. Cir. Ct. Apr 5, 2005). As far as this court can ascertain, this judgment has not been satisfied.

Since Mr. Kozich was barred from representing himself in the 17th Judicial Circuit, he has filed at least 12 separate *pro se* causes of action there, in direct violation of Judge Burnstein's

standing order. *See* attached state court docket search results. A search of the Broward County Public Records reveals more than 50 judgments and liens recorded against Mr. Kozich, including IRS tax liens. *See* attached. A search of the Florida Fourth District Court of Appeal docket reveals 68 appeals filed by Mr. Kozich. *See* attached. A search of the Florida Supreme Court's docket reveals 17 appeals filed by Mr. Kozich. It is no wonder that Mr. Kozich is attempting to remove this case to the federal court system, as he seems to have outstayed his welcome in state court.

3. Application of the automatic stay under 11 U.S.C. § 362

An automatic stay, under section 362 of the Bankruptcy code, “operates as a stay, applicable to all entities, of the commencement or continuation...of a judicial, administrative, or other action or proceeding *against the debtor* that was or could have been commenced before the commencement of [bankruptcy].” 11 U.S.C. § 362(a) (emphasis added). The primary purpose of an automatic stay subsequent to the filing of a bankruptcy petition is:

to preserve what remains of the debtor's insolvent estate and to provide a systematic, equitable liquidation procedure for all creditors secured and unsecured ... thereby preventing a chaotic and uncontrolled scramble for the debtor's assets in a variety of uncoordinated proceedings in different courts.

Rhett White Motor Sales Co. v. Wells Fargo Bank, 99 B.R. 12, 13 (N.D. Cal. 1989) (internal citations omitted). Although the scope of the automatic stay is undeniably broad, it does not serve to stay all actions involving the bankrupt party. Rather, the reach of the automatic stay is limited by its purposes. *Id.* at 14 (citing *Price & Pierce International, Inc. v. Spicers International Paper Sales, Inc.*, 50 B.R. 25, 26 (Bankr. S.D.N.Y. 1985)).

The question raised by this case is as follows: Does an automatic stay under section 362 prevent a non-debtor party from taking action in a state court appeal, *initiated by the debtor*, of an

original action *also initiated by the debtor*? It is clear to this court, given the plain language of the law, that the answer is *no*. Section 362, by its own terms, only stays proceedings *against the debtor*.

The determination of whether an action is truly “against the debtor” can become blurred when the debtor initiates an action but it is the *defendant* who subsequently appeals or initiates a counterclaim. However, the case at hand is not so complex. Here, it is the Debtor who not only initiated the original action, but also the Debtor who initiated the *appeal*. Therefore, there is no question as to whether this proceeding is *against the debtor*. It is not. Defendants are trying neither to possess nor exercise control over the Debtor’s estate. *Rhett White Motor Sales Co.*, 99 B.R. at 14; *see also Corso v. Dewitt*, 180 B.R. 589, 592 (C.D. Ca. 1994) (finding appellant’s limitation action should not be stayed, since it did not seek to exercise control over the property of the debtor’s estate). Accordingly, given the clear language of section 362, and the purpose of its provisions, there is no reason for the automatic stay to apply to the continuation of the proceeding in question in the Fourth District Court of Appeal, and any claims made by the Debtor to the contrary in the Complaint are baseless.

4. Pre-petition causes of action are property of the estate

The Bankruptcy Code’s definition of “estate” is given broad application and includes all kinds of property, including causes of action. 11 U.S.C. § 541(a); *see also Parker v. Wendy’s Intern, Inc.*, 365 F.3d 1268 (11th Cir.2004) (citing *Barger v. City of Cartersville*, 348 F.3d 1289, 1292 (11th Cir.2003) (“Generally speaking, a pre-petition cause of action is the property of the Chapter 7 bankruptcy estate, and only the trustee in bankruptcy has standing to pursue it”). This court recognizes the claim of action, as set forth by Mr. Kozich in the Complaint, to be the property of this estate. It is well established that, if the cause of action is an asset of the estate, “the trustee alone has

standing to bring that claim.” *National American Ins. Co. v. Ruppert Landscaping Co., Inc.*, 187 F.3d 439, 441 (4th Cir.1999); *see also Jones v. Harrell*, 858 F.2d 667 (11th Cir. 1988) (Finding that a trustee in bankruptcy succeeds to all causes of action held by the debtor at the time a bankruptcy petition is filed, including claims for personal injuries); *Miller v. Shallowford Community Hosp., Inc.*, 767 F.2d 1556 (11th Cir. 1985) (Same, specifically finding this includes actions arising from contract).

Accordingly, the court finds that Mr. Kozich did not have proper standing to bring the cause of action in question, which is, itself, sufficient grounds for granting the motion to dismiss. Additionally, the court believes that Mr. Kozich has clearly failed to state a claim upon which relief may be granted, but this is a moot point and will not be pursued any further in this order.

5. Sanctions under Bankruptcy Rule 9011

Given the representation made by Ms. Cavallaro at the July 1st hearing that the safe harbor notice was not furnished to Mr. Kozich until after the filing of the Motion, let alone 21 days before as required by Rule 9011, I am required to deny the Motion as to that request for sanctions under Federal Rule of Bankruptcy Procedure 9011.

6. Sanctions under 11 U.S.C. § 105(a)

Mr. Kozich has established a clear pattern as a vexatious litigant, and while I am not authorized by the express terms¹ of *Fla. Stat.* § 68.093 to impose sanctions under that statute, neither am I required to turn a blind eye toward Mr. Kozich’s wanton disregard for Judge Burnstein’s standing prohibition on his filing *pro se* actions in state court. The adversary proceeding before me

¹By its terms, § 68.093 applies to actions “governed by the Florida Rules of Civil Procedure and proceedings governed by the Florida Probate Rules,” with certain exclusions.

is nothing more than a continuation of vexatious litigation commenced in the Circuit Court for the 17th Judicial Circuit transplanted to a new forum. I will not suffer a replication of the state courts' experience with Mr. Kozich's pattern of vexatious litigation, nor will I tolerate the continuing abuse here of parties who have had the misfortune of litigating against Mr. Kozich in state court. I will accordingly preempt the issue before misconduct becomes as scandalous here as it was in state court, and will impose severe restrictions on Mr. Kozich's ability to proceed in this Court on a *pro se* basis.

A bankruptcy court's power to control the conduct of parties before it, including to determine that a party should be sanctioned for contemptuous conduct, is based both in 11 U.S.C. § 105(a), *Hardy v. Internal Revenue Service (In re Hardy)*, 97 F.3d 1384, 1390 (11th Cir. 1996); *Placid Refining Co. v. Terrebone Fuel & Lube, Inc.*, 108 F.3d 609 (5th Cir. 1997), and in the inherent power of the federal courts, *Glatter v. Mroz (In re Mroz)*, 65 F.3d 1567, 1574-75 (11th Cir. 1996); *Eck v. Dodge Chemical Co.*, 950 F.2d 798 (1st Cir. 1991).

The inherent power of the federal court to punish for improper conduct is well established and this power reaches both conduct before the court and that beyond the court's confines, for "the underlying concern that gave rise to the contempt power was not . . . merely the disruption of court proceedings. Rather, it was disobedience to the orders of the Judiciary, regardless of whether such disobedience interfered with the conduct of trial." *Young v. United States ex rel. Vuitton et Fils S. A.*, 481 U.S. 787, 798 (1987) (citations omitted).

In *Chambers v. NASCO, Inc.*, 501 U.S. 32 (1991), the Supreme Court addressed the nature and scope of the inherent power vested in the federal courts. The judicial branch has the ability to control the overall judicial proceedings, *i.e.*, to maintain the decorum of the institution, which includes the conduct of parties involved. *Chambers*, at 501 U.S. at 43-44. Such inherent powers,

for example, include a federal court's ability to investigate and vacate its own judgment upon proof that a fraud has been perpetrated upon the court, to bar from the courtroom a criminal defendant who disrupts a trial, to dismiss an action on grounds of forum non conveniens, and it may act *sua sponte* to dismiss a suit for failure to prosecute. *Id.* at 44.

However, the Supreme Court, in Chambers, warned that a court must "exercise caution in invoking its inherent power," stating:

Because of their very potency, inherent powers must be exercised with restraint and discretion. A primary aspect of that discretion is the ability to fashion an appropriate sanction for conduct which abuses the judicial process ... When there is bad-faith conduct in the course of litigation that could be adequately sanctioned under the Rules, the court ordinarily should rely on the Rules rather than the inherent power. But if in the informed discretion of the court, neither the statute nor the Rules are up to the task, the court may safely rely on its inherent power.

501 U.S. at 44 & 50 (internal citations omitted). I am thus authorized to restrict litigant's conduct in a case under the courts' inherent powers on a showing of "bad faith," *Hardy*, 97 F.3d at 1389, n3 (citing *Mroz*, 65 F.3d at 1575), as well as under the broad statutory grant of authority under § 105. *In re Evergreen Security, Ltd.*, Case Nos. 08-14064, 08-14536 (11th Cir. June 11, 2009).

Section 105 of the Bankruptcy Code grants broad statutory powers in the bankruptcy context, stating, "The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a). The purpose of a § 105(a) contempt sanction is to (1) compensate the complainant for losses and expenses it incurred because of the contemptuous act, and (2) coerce the contemnor into complying with the Court's order. *Jove Engineering, Inc. v. Internal Revenue Service*, 92 F.3d 1539, 1557 (11th Cir.1996)(citing *EEOC v. Guardian Pools, Inc.*, 828 F.2d 1507, 1515 (11th Cir.1987); *Sizzler Family Steak Houses v. Western Sizzlin Steak House, Inc.*, 793 F.2d 1529, 1534 (11th Cir.1986)).

I find that it was unreasonable for Mr. Kozich to file the Complaint in question. Whether Mr. Kozich knew, or should have known, that an automatic stay does not apply to a cause of action initiated and pursued only by the debtor himself, is superfluous. At the very least, he was aware that the Fourth District Court of Appeal had vacated its stay order prior to his filing. And yet, as the basis for his Complaint, Mr. Kozich alleges that the Defendants “have contemptuously by outward commission violated the automatic stay.” Complaint at 5. Mr. Kozich has filed this Complaint with an utter disregard for the authority of the Fourth District Court’s order vacating the stay. Additionally, as explained above, Mr. Kozich knew, or should have known, that he had no standing to bring the claim. I will not be misled into leniency by the fact that Mr. Kozich is a *pro se* Plaintiff. As the Motion aptly points out:

Kozich has made a career out of abusing the judicial system in the State of Florida. For years, he has filed frivolous actions in the Seventeenth Judicial Circuit, the Fourth District Court of Appeals, the Florida Supreme Court, and now the United States Bankruptcy Court for the Southern District of Florida.

Motion at 5. I specifically find that Mr. Kozich’s actions in filing this adversary proceeding were in bad faith, that the arguments raised in the complaint are knowingly or recklessly frivolous, and that the filing and pursuit of the litigation were undertaken for the purpose of harassing the defendants.

As noted above, the fact that Mr. Kozich has already been found to be a vexatious litigant, pursuant to *Fla. Stat.* section 68.093, by the Seventeenth Judicial Circuit, and has been barred from filing *pro se* causes of action in that circuit, is not lost on this court. Accordingly, in light of the broad authority I have under § 105 “to prevent an abuse of process,” as well as under my inherent power to control litigation conducted in bad faith, I find that the appropriate remedy is to prohibit

Mr. Kozich from filing any adversary proceeding or contested matter in the United States Bankruptcy Court for the Southern District of Florida on a *pro se* basis without prior court approval. *In re Brooks-Hamilton*, 400 B.R. 238, 248 (B.A.P. 9th Cir. 2009) (finding that “[t]he bankruptcy court had authority under § 105(a) to suspend Smyth from practice before the bankruptcy courts of the district as a means to deter him from his continued incompetence and unprofessional conduct, to the detriment of bankruptcy administration in the Northern District of California”). Mr. Kozich may seek such court approval by motion. It is my sincere hope that Mr. Kozich will respect this order. A failure to do so will result in further sanctions, which could include the imposition of a fine, confinement, or both.

Accordingly, it is **ORDERED** that:

1. The Defendants’ Motion [DE 9] is **GRANTED** in part and **DENIED** in part.
2. The Complaint [DE 1] is **DISMISSED** with prejudice.
3. The Defendants’ request in the Motion for sanctions under Federal Rule of Bankruptcy Procedure 9011 is **DENIED**.
4. The Debtor is **SANCTIONED** by this court pursuant to 11 U.S.C. § 105(a) and the inherent power of the court from further actions taken in bad faith. Don T. Kozich is hereby **PROHIBITED** from filing any adversary proceeding or contested matter in the United States Bankruptcy Court for the Southern District of Florida on a *pro se* basis without prior approval from this court. Such approval may be sought by motion filed with the Clerk of this Court and served on all parties who would be affected by the proposed adversary proceeding or contested matter.
5. The court reserves jurisdiction to enforce the dictates of this order. Failure to fully comply with this ruling will be found to be contemptuous and may result in the imposition of a fine, confinement, or both.

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Copies furnished to:

Michelle A. Cavallarro.

Ms.Cavallarro is directed to serve a conformed copy of this Order on all other interested parties.

Fourth District Court of Appeal Cases for Party KOZICH, DON T.

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Case No.	Filed	Case Style	County	Lower Tribunal Case	Disposed
89-344	02/06/1989	DON T. KOZICH v. FLORIDA POWER & LIGHT CO.	Broward	88-17548 CN	11/01/1989
89-834	04/04/1989	DON T. KOZICH and MARIA v. CITICORP., etc., et al.	Broward	88-01247 CV	01/11/1990
89-3128	12/11/1989	DON T. KOZICH v. CITY OF FT. LAUDERDALE	Broward	88-11611	09/19/1990
90-249	01/25/1990	DON T. KOZICH v. NCNB NATIONAL BANK OF FL	Broward	87-34525 DA	10/16/1991
90-2814	10/18/1990	DON T. KOZICH v. JACQUELINE ALLEE, et al.	Broward	90-15849 06	04/17/1991
91-698	03/12/1991	DON T. KOZICH v. GERALDINE R. LAMB,	Broward	87-17874 01	01/15/1992
91-1153	04/25/1991	DON T. KOZICH v. WEST AMERICAN INSURANCE	Broward	86-4511 23	01/20/1993
91-1343	05/13/1991	DON T. KOZICH v. DEAN KACHEL, Individually	Broward	85-29030 18	09/24/1991
91-2762	10/02/1991	DON T. KOZICH v. HARTFORD INSURANCE CO.,	Broward	89-10079 17	12/02/1992
92-1018	04/03/1992	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	87-34525 22	07/12/1993
92-2292	08/03/1992	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	91-31252 05	02/09/1994
92-3260	11/12/1992	DON T. KOZICH v. THE CITIZENS AND SOUTHERN	Broward	90-1641 04	06/17/1993
93-689	03/05/1993	DON T. KOZICH v. HARTFORD INSURANCE	Broward	89-10079	06/10/1993
93-953	03/30/1993	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	87-34525 22	12/21/1994
94-26	01/03/1994	DON T. KOZICH v. DEBRINO CAULKING &	Broward	93-32441 09	02/24/1994
94-270	01/31/1994	DON T. KOZICH v. WEST AMERICAN INSURANCE	Broward	86-4511 41	10/25/1995

94-2154	08/02/1994	DON T. KOZICH v. DeBRINO CAULKING &	Broward	93-32441 09	01/25/1995
95-700	03/02/1995	DON T. KOZICH v. UNEMPLOYMENT APPEALS	Broward	94-6860, more	06/19/1996
95-1427	05/01/1995	DON T. KOZICH v. CITY OF FT. LAUDERDALE,	Broward	94-5968 MO10A, more	05/19/1995
95-2230	06/29/1995	DON T. KOZICH v. THOMAS R. SHAHADY,	Broward	95-1179 03	07/31/1995
95-2322	07/05/1995	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	91-31252 05	07/30/1997
95-2773	08/14/1995	DON T. KOZICH v. MARIA E. GARCES-KOZICH,	Broward	88-24640 37	09/19/1995
95-3377	09/27/1995	DON T. KOZICH v. THOMAS R. SHAHADY, etc.,	Broward	95-1179 03	09/24/1997
95-3378	09/27/1995	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	87-34525 DA25	01/12/1996
95-3747	10/30/1995	DON T. KOZICH, et al. v. THE CITIZENS and	Broward	90-1641 04	06/11/1997
95-4154	12/06/1995	DON T. KOZICH v. D. DAVID KELLER,	Broward	95-1181 12	12/19/1995
96-157	01/16/1996	DON T. KOZICH v. D. DAVID KELLER, etc.,	Broward	95-1181 12	03/26/1997
96-496	02/09/1996	DON T. KOZICH v. MARIA E. GARCES-KOZICH	Broward	88-24640 37	11/19/1997
96-2469	07/22/1996	DON T. KOZICH v. WEST AMERICAN INSURANCE	Broward	86-4511 14	11/05/1997
96-4099	12/12/1996	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	87-34525 25	04/30/1997
97-742	03/04/1997	DON T. KOZICH v. WEST AMERICAN INS. CO.,	Broward	86-4511 14	03/27/1997
97-1130	04/02/1997	DON T. KOZICH v. D. DAVID KELLER, etc.,	Broward	96-8975 11	06/05/2002
97-3122	09/04/1997	DON T. KOZICH v. DeBRINO CAULKING &	Broward	93-32441 09	09/29/1997
97-3377	09/25/1997	DON T. KOZICH v. DEPARTMENT OF INSURANCE,	Broward	94-13865 18, more	06/05/2002
97-3786	10/28/1997	DON T. KOZICH and v. CITIZENS AND SOUTHERN	Broward	90-1641 13	09/18/2002
97-4128	11/25/1997	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	87-34525 25	12/02/1998
97-4494	12/24/1997	DON T. KOZICH v. ALBERT DEBRINO, etc.,	Broward	93-32441 09	12/18/2002

98-1450	04/24/1998	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	91-31252 05	11/10/1998
98-1714	05/15/1998	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	91-31252 05	06/05/2002
98-1815	05/22/1998	DON T. KOZICH v. THOMAS R. SHAHADY, etc.,	Broward	95-1179 13	09/23/1998
98-1816	05/22/1998	DON T. KOZICH v. WILLIAM G. CRAWFORD, JR.,	Broward	96-9861 09	09/05/2002
98-1946	06/04/1998	DON T. KOZICH v. MARIA E. GARCES-KOZICH	Broward	88-24640 37	06/16/1998
98-2041	06/10/1998	DON T. KOZICH v. D. DAVID KELLER, etc.,	Broward	96-8975 11	10/19/1998
98-2694	08/03/1998	DON T. KOZICH v. WILLIAM G. CRAWFORD,	Broward	96-9861 09	08/04/1998
98-2772	08/06/1998	DON T. KOZICH v. WILLIAM G. CRAWFORD JR.,	Broward	96-9861 98	07/25/2002
98-2912	08/20/1998	DON T. KOZICH v. CLEM BEDUSA, etc., et al.	Broward	96-6198 12	07/25/2002
98-3129	09/09/1998	DON T. KOZICH v. D. DAVID KELLER, etc.,	Broward	98-5269 21	07/20/1999
99-425	02/03/1999	DON T. KOZICH v. NCNB NATIONAL BANK OF	Broward	91-31252 05	05/29/2002
99-471	02/05/1999	DON T. KOZICH v. D. DAVID KELLER, etc.,	Broward	96-8975 11	08/25/1999
99-838	03/10/1999	DON T. KOZICH v. ALBERT DeBRINO, etc.,	Broward	93-32441 09	12/18/2002
99-1346	04/19/1999	DON T. KOZICH v. JENNIE M. WARREN, etc.,	Broward	91-21802 41	06/13/2002
99-3385	10/06/1999	DON T. KOZICH v. THOMAS R. SHAHADY, etc.,	Broward	95-1179 13	05/17/2002
03-3293	08/27/2003	DON T. KOZICH v. UNEMPLOYMENT APPEALS	Broward	03-6149	02/09/2005
03-3294	08/27/2003	DON T. KOZICH v. UNEMPLOYMENT APPEALS	Broward	03-6150	02/09/2005
04-981	03/12/2004	DON T. KOZICH v. FLORIDA BAR AND DONALD J.	Broward	01-15106 09	09/21/2005
04-1475	04/16/2004	DON T. KOZICH v. MARYLAND CASUALTY	Broward	01-2448 14	04/06/2005
04-2174	06/04/2004	DON T. KOZICH v. THE ESTATE OF MARTIN G.	Broward	01-4694 PA	09/21/2005
07-1551	04/03/2007	DONALD T. KOZICH v. DEBRINO CAULKING,	Broward	93-32441 09	05/01/2007
Total Cases 58					

Fourth District Court of Appeal Cases for Party KOZICH, DON T.

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Case No.	Filed	Case Style	County	Lower Tribunal Case	Disposed
92-1438	05/08/1992	DON T. KOZICH, v. NCNB NATIONAL BANK OF	Broward	87-34525 22	05/18/1992
03-220	01/21/2003	DON T. KOZICH v. DAIMLER CHRYSLER	Broward	02-2536 02	04/29/2003
03-3781	09/25/2003	DON T. KOZICH v. DeBRINO CAULKING,	Broward	93-32441 09	12/03/2003
04-3483	09/17/2004	DON T. KOZICH v. DEBRINO CAULKING &	Broward	93-32441 09	11/29/2004
05-691	02/07/2005	DON T. KOZICH v. G. WARE CORNELL, JR.,	Broward	04-9121 09	04/20/2005
06-2406	06/14/2006	DON T. KOZICH v. DAIMLER CHRYSLER	Broward	02-2536 03	01/29/2007
06-3957	09/27/2006	DON T. KOZICH v. DAIMLER CHRYSLER	Broward	04-10503 18	01/22/2007
07-4979	12/19/2007	DON KOZICH v. DAIMLERCHRYSLER	Broward	03-13168 02	
08-302	01/22/2008	DON T. KOZICH v. PORTER C. CROFT,	Broward	06-7838 05	03/11/2008
08-1001	03/12/2008	DON T. KOZICH v. STANLEY KIMMEL, ETC.,	Broward	01-2448 14	06/15/2009
Total Cases 10					

Florida Supreme Court Cases for Party KOZICH, DON T.

06/29/2009 05:02

Case	Status	Filed	Type	Style	Disposed
SC60-78245	Closed	07/10/1991	Direct Conflict of Decisions	KOZICH v. ALLEE	07/11/1991
SC60-79041	Closed	12/06/1991	Statutory or Constitutional Invalidity	KOZICH v. KACHEL	12/11/1991
SC60-79124	Closed	12/23/1991	Direct Conflict of Decisions	KOZICH v. NCNB NATIONAL BANK OF FLO	05/11/1992
SC60-81509	Closed	03/26/1993	Prohibition	KOZICH v. SCOTT , ET AL .	06/09/1993
SC60-82379	Closed	09/20/1993	Statutory or Constitutional Invalidity	KOZICH v. NCNB NAT ' L . BANK OF FL	09/27/1993
SC60-82380	Closed	09/20/1993	Statutory or Constitutional Invalidity	KOZICH v. THE CITIZENS & SO . NAT '	09/27/1993
SC60-86886	Closed	11/20/1995	Direct Conflict of Decisions	DON T. KOZICH v. JACQUELINE ALLEE, ET AL.	11/28/1995
SC60-89003	Closed	09/23/1996	Direct Conflict of Decisions	DON T. KOZICH v. UNEMPLOYMENT APPEALS	09/26/1996
SC60-94470	Closed	12/07/1998	Direct Conflict of Decisions	DON T. KOZICH v. THOMAS R. SHAHADY, ETC.,	12/10/1998
SC60-94716	Closed	01/19/1999	Mandamus	DON KOZICH v. D. DAVID KELLER, ET AL.	05/14/1999
SC60-96495	Closed	09/10/1999	Mandamus	DON T. KOZICH v. D. DAVID KELLER, ET AL.	04/02/2001

SC00-2493	Closed	12/01/2000	Mandamus	DON T. KOZICH v. HOLLAND & KNIGHT, LLP, ET AL.	12/03/2001
SC01-873	Closed	04/23/2001	Mandamus	DON T. KOZICH v. D. DAVID KELLER, ETC.,	12/03/2001
SC05-1560	Closed	08/18/2005	Direct Conflict of Decisions	DON T. KOZICH v. DEBRINO CAULKING & WATERPROOFING,	06/21/2006
SC06-656	Closed	04/05/2006	Direct Conflict of Decisions	DON T. KOZICH v. THE FLORIDA BAR, ET AL.	04/19/2006
SC06-805	Closed	04/24/2006	Direct Conflict of Decisions	DON T. KOZICH v. AMERICAN SAFETY CASUALTY	10/20/2006
SC06-1076	Closed	05/31/2006	Statutory or Constitutional Invalidity	DON T. KOZICH v. DAIMLERCHRYSLER CORPORATION,	06/09/2006
Total Cases 17					

RECORDDATE	ORBOOI	ORPAGCROSSPAFADDEDDELETID	DOCTYPEKEY	FULLNAME
2/13/1991 12:00:00 AM	18138	616 :WEST AMERICAN INS CO	Final Judgment	KOZICH,DON T
3/21/1991 12:00:00 AM	18238	126 :WEST AMERICAN INSURANCE	Certified Final Judgment	KOZICH,DON T
7/11/1991 12:00:00 AM	18552	955 :BARNETT BANK S FL	Final Judgment	KOZICH,DON T
7/11/1991 12:00:00 AM	18553	300 :UNITED STATES IRS	Federal Tax Lien	KOZICH,DON T
8/15/1991 12:00:00 AM	18662	875 :BARNETT BANK S FL	Certified Final Judgment	KOZICH,DON T
10/14/1991 12:00:00 AM	18824	647 :UNITED STATES IRS	Federal Tax Lien	KOZICH,DON T
7/13/2001 4:28:37 PM	31848	1155 :UNITED STATES IRS	Federal Tax Lien	KOZICH,DON T
4/7/2005 2:23:52 PM	39392	1774 :DEBRINO,ALBERT M	Final Judgment	KOZICH,DONALD T
9/18/1992 12:00:00 AM	19881	550 :CITIZENS & SOUTHERN N	Final Judgment	KOZICH,DONALD T
10/22/1992 12:00:00 AM	19997	483 :CITIZENS & SOUTHERN N	Certified Final Judgment	KOZICH,DONALD T
7/20/2005 8:59:24 AM	40108	186 :UNITED STATES IRS	Release of Federal Tax Lien	KOZICH,DON T
7/20/2005 8:59:24 AM	40108	187 :UNITED STATES IRS	Release of Federal Tax Lien	KOZICH,DON T
1/12/1994 2:13:00 PM	21633	809 :WEST AMERICAN INS CO	Final Judgment	KOZICH,DON T
2/21/1994 11:03:00 AM	21782	556 :WEST AMERICAN INS CO	Final Judgment	KOZICH,DON T
2/11/1981 12:00:00 AM	9407	256 :KOZICH,JUDITH ANN	Lis Pendens	KOZICH,DON THOMAS
5/8/2003 2:48:13 PM	35121	538 :BEDUSA,CLEM	Satisfaction of Final Judgment	KOZICH,DON T
5/18/1981 12:00:00 AM	9585	965 :KOZICH,JUDITH ANN	Final Judgment	KOZICH,DON THOMAS
6/2/1981 12:00:00 AM	9612	725 :KOZICH,JUDITH ANN	Cancel / Discharge / Release	KOZICH,DON THOMAS
5/5/1995 12:08:00 PM	23418	32 :GARCES-KOZICH,MARIA E	Lis Pendens	KOZICH,DON T
5/17/1995 2:14:00 PM	23463	756 :GARCES-KOZICH,MARIA E	Lis Pendens	KOZICH,DON T
7/24/1995 3:58:00 PM	23711	522 :GARCES-KOZICH,MARIA E	Cancel / Discharge / Release	KOZICH,DON T
7/14/2006 9:29:39 AM	42396	205 :DEBRINO,ALBERT	Satisfaction of Final Judgment	KOZICH,DONALD T
7/14/2006 9:29:39 AM	42396	205 :DEBRINO,ALBERT	Satisfaction of Final Judgment	KOZICH,DON T
9/8/1978 12:00:00 AM	7757	8 :FIRST BANK OKL PK	Final Judgment	KOZICH,DON T
10/9/1978 12:00:00 AM	7808	315 :FIRST BANK OKL PK	Certified Final Judgment	KOZICH,DON T
11/2/1978 12:00:00 AM	7849	577 :FIRST BANK OKL PK	Final Judgment	KOZICH,DON T
1/20/1996 8:29:00 AM	24397	660 :GARCES-KOZICH,MARIA E	Final Judgment	KOZICH,DON T
3/12/1996 5:06:00 PM	24598	588 :BEDUSA,CLEM	Final Judgment	KOZICH,DON T
3/12/1996 5:06:00 PM	24598	590 :BEDUSA,CLEM	Final Judgment	KOZICH,DON T
5/1/1996 12:22:00 PM	24814	802 :BEDUSA,CLEM	Modified Final Judgment	KOZICH,DON T
5/23/1996 9:18:00 AM	24915	109 :WEST AMERICAN INS CO	Release of Final Judgment	KOZICH,DON T
2/7/1997 11:40:00 AM	26004	757 :WEST AMERICAN INS CO	Release of Final Judgment	KOZICH,DON T
7/31/1997 1:26:00 PM	26788	615 :FLORIDA INSURANCE GU	Modified Final Judgment	KOZICH,DON T
8/6/1997 8:48:00 AM	26811	857 :FLORIDA INSURANCE GU	Modified Final Judgment	KOZICH,DON T
10/24/1997 12:43:00 PM	27189	553 :BEDUSA,CLEM	Final Judgment	KOZICH,DON T
8/9/2007 4:07:36 PM	44456	1562 :DAIMLERCHRYSLER CORP	Partial Final Judgment	KOZICH,DON T
1/7/1998 3:47:00 PM	27513	654 :HOUSTON SHAHADY & H	Final Judgment	KOZICH,DON T
1/26/1998 2:23:00 PM	27600	915 :HOUSTON & SHAHADY P	Modified Final Judgment	KOZICH,DON T
3/6/1998 11:04:00 AM	27823	70 :HOUSTON SHAHADY & H	Certified Final Judgment	KOZICH,DON T
4/13/1998 12:53:00 PM	28037	67 :NCNB NATIONAL BANK FL	Certified Final Judgment	KOZICH,DON T
4/15/1998 8:39:00 AM	28047	673 :NCNB NATL BANK FL	Final Judgment	KOZICH,DON T
11/16/2007 3:38:23 PM	44822	153 :DAIMLERCHRYSLER CORP	Final Judgment	KOZICH,DON T
1/24/1979 12:00:00 AM	8002	919 :UNITED STATES IRS	Federal Tax Lien	KOZICH,DON T
4/15/1985 12:00:00 AM	12464	671 :GREEN,CHARLOTTE BAR	Final Judgment	KOZICH,DON T
10/4/1985 12:00:00 AM	12871	719 :GATEMAN,TAMARA SUE	Final Judgment	KOZICH,DON T

10/4/1985 12:00:00 AM	12871	983 :GATEMAN,TAMARA	Release of Final Judgement	KOZICH,DON T
6/19/1998 2:46:00 PM	28425	269 :MCDONALD & CRAWFORI	Final Judgment	KOZICH,DON T
2/1/1979 12:00:00 AM	8018	543 :NEWTON ENTERPRISES IL	Lis Pendens	KOZICH,DON
2/22/1979 12:00:00 AM	8059	391 :PROFITABILITY SERVICE	Final Judgment	KOZICH,DON T
9/4/1986 12:00:00 AM	13703	448 :HARDRIVES COMPANY	Lien	KOZICH,DON
11/16/1979 12:00:00 AM	8561	482 :SOUTHERN FEDERAL BR	Lis Pendens	KOZICH,DON T
7/10/2008 8:32:24 AM	45512	1459 :DAIMLER CHRYSLER CO	Final Judgment	KOZICH,DON T
4/9/1987 12:00:00 AM	14333	620 :HARDRIVES COMPANY	Release of Lien	KOZICH,DON T
12/23/1987 12:00:00 AM	15060	631 :NCNB NATIONAL BANK FL	Lis Pendens	KOZICH,DON T
1/7/1999 11:47:00 AM	29131	1712 :NATIONS BANK	Certified Final Judgment	KOZICH,DON T
3/30/1999 7:07:22 AM	29348	1910 :PARKLAND CAMELOT LTI	Final Judgment	KOZICH,DON
4/9/1999 3:13:29 PM	29372	1148 :PARKLAND CAMELOT LTI	Vacate Final Judgment	KOZICH,DON
6/17/1999 8:29:28 AM	29561	1986 :PARKLAND CAMELOT LTI	Final Judgment	KOZICH,DON
6/29/1999 1:42:51 PM	29607	1240 :FIRST UNION NATL BANK	Lis Pendens	KOZICH,DON T TR DBA
1/14/1988 12:00:00 AM	15115	966 :TEDS PLUMBING INC	Notice of Contest of Lien	KOZICH,DON T
11/14/1988 12:00:00 AM	15950	562 :FLORIDA POWER & LIGHT	Final Judgment	KOZICH,DON T
12/20/1988 12:00:00 AM	16046	874 :FLORIDA POWER & LIGHT	Final Judgment	KOZICH,DON T
1/27/1989 12:00:00 AM	16148	587 :GARCES-KOZICH,MARIA	Final Judgment	KOZICH,DON T
8/11/1989 12:00:00 AM	16673	626 :AMERICAN OVERHEAD D	Lien	KOZICH,DON T TR
9/22/1989 12:00:00 AM	16783	855 :FORT LAUDERDALE CITY	Final Judgment	KOZICH,DONALD
11/3/1989 12:00:00 AM	16902	134 :K & K WRECKING CORP	Lien	KOZICH,DON T IND & TR
11/6/1989 12:00:00 AM	16903	594 :NCNB NATIONAL BANK FL	Final Judgment	KOZICH,DONALD T IND &
5/18/1990 12:00:00 AM	17430	922 :LAMB,GERALDINE R	Final Judgment	KOZICH,DON T
8/8/1990 12:00:00 AM	17658	626 :BARNETT BANK S FL	Final Judgment	KOZICH,DON T
8/14/1990 12:00:00 AM	17673	430 :BARNETT BANK S FL	Final Judgment	KOZICH,DON T
10/23/1990 12:00:00 AM	17859	211 :BARNETT BANK S FL	Certified Final Judgment	KOZICH,DON T
1/4/1980 12:00:00 AM	8652	211 :PINDOFF,KROUM & EVA	Lis Pendens	KOZICH,DON T
11/19/1990 12:00:00 AM	17928	699 :SPANN,RONALD THOMAS	Final Judgment	KOZICH,DON T
12/6/1990 12:00:00 AM	17969	902 :SPANN,RONALD THOMAS	Certified Final Judgment	KOZICH,DON T
12/13/1990 12:00:00 AM	17989	890 :SPANN,RONALD THOMAS	Release of Final Judgement	KOZICH,DON T
4/15/1980 12:00:00 AM	8848	844 :PINDOFF,KROUM & EVA	Lis Pendens	KOZICH,DON T